

**Notice of Allowability**

Application No.

09/764,729

Examiner

Hung Q. Dang

Applicant(s)

BACCHIAZ ET AL.

Art Unit

2635

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 8/12/2005.
2. ☒ The allowed claim(s) is/are 41-65,69-73,75-77 and 79-88.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

### **DETAILED ACTION**

1. This communication is in response to application's amendment received on 8/12/2005. The canceled claims 1-40, 66-68, 74 and 78, the amended claims 43-45, 47, 49, 52, 53, 77, 79 and 80, and the added claims 81-88 have been entered.

### ***Allowable Subject Matter***

2. Claims 41-65, 69-73, 75-77 and 79-88 are allowed.

**Regarding claim 41**, the prior arts of record fail to teach or disclose a biometric key as claimed in claim 41, w herein the insulator is insertable into a slot of the key body and attached thereto.

**Regarding claim 42**, the prior arts of record fail to teach or disclose a biometric key as claimed in claim 42, wherein the insulator is slidably attached to the key body and bonded thereto.

**Regarding claim 46**, the prior arts of record fail to teach a biometric key as claimed in claim 46, wherein the insulator incorporates a plurality of contacts portals in contact with corresponding contacts or wire leads of the circuit board.

**Regarding claim 54**, the prior arts of record fail to teach or disclose a mechanical lock body engageable with a biometric key which incorporates a biometric sensor for transmission of a signal representing a biocode of data generated by the biometric sensor as claimed in claim 54, wherein the mechanical lock body has 1) a movable component or cylinder having one or more contact portals for engagement with corresponding contacts of the biometric key when said key is engaged with the movable

component or cylinder; and ii) a barrel for retention of said movable component having contacts for engagement with the contact portals of the movable component or cylinder whereby in use the signal is forwarded to processing means interfaced or electrically connected with the barrel upon engagement of the biometric key with said movable component automatic generation of the signal for granting access to an authorized user of a facility accessible by the biometric key.

**Regarding claims 69, 70 and 72**, the prior arts of record fail to teach a biometric key as claimed in claim 69, wherein the signal representing a biocode of data generated by the biometric sensor is automatically generated upon engagement with the mechanical key and the mechanical lock body and forwarded to the processing means.

**Regarding claims 73 and 75**, the prior arts of record fail to teach a biometric key as claimed in claims 73 and 75, respectively, wherein the receptor body includes i) a movable component or lock cylinder having said contact(s) and ii) a barrel for retention of said movable component wherein said barrel has contacts for engagement with said contacts of the movable components or lock cylinder for transmission of the signal.

**Regarding claim 77**, the prior arts of record fail to teach or disclose a process for providing access to a facility which incorporates a movable as claimed in claim 77, wherein the host computer requests personal and/or demographic information relative to the authorized biometric signature before said capture of the authorized biometric signature.

3. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hung Q. Dang whose telephone number is (571) 272-3069. The examiner can normally be reached on 9:30AM-6PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Horabik can be reached on (571) 272-3068. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

HD

MICHAEL HORABIK  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600

